United Nations S/AC.43/2010/1

Security Council

Distr.: General
28 January 2010
English
Original: French

Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

Note verbale dated 14 January 2010 from the Permanent Mission of Andorra to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Principality of Andorra to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1533 (2004) and has the honour to submit the response of the Government of the Principality of Andorra to Security Council resolution 1896 (2009) concerning the Democratic Republic of the Congo (see annex).

10-22285 (E) 280110 250210

Please recycle

Annex to the note verbale dated 14 January 2010 from the Permanent Mission of Andorra to the United Nations addressed to the Chairman of the Committee

Report of Andorra on the implementation of Security Council resolution 1896 (2009)

Introduction

On 30 November 2009, the Security Council adopted resolution 1896 (2009) concerning the Democratic Republic of the Congo. Paragraph 5 of the resolution calls upon all Member States that have not previously done so to report to the Committee on the actions they have taken to implement the measures imposed by paragraphs 1, 2 and 3 of the resolution. Paragraph 12 requests all States to identify a focal point to the Committee in order to enhance cooperation and information-sharing with the Group of Experts. Paragraph 14 calls upon Member States to take measures to ensure that importers, processing industries and consumers of Congolese mineral products under their jurisdiction exercise due diligence on their suppliers and on the origin of the minerals they purchase. Paragraph 15 calls upon Member States to cooperate fully, in particular by providing details of any relevant national guidelines, licensing requirements or legislation relating to trading in mineral products.

Actions taken by the Government of Andorra to implement the measures imposed by paragraph 1: measures on arms

The Principality of Andorra has a long tradition of peace. It has lived without war or conflict for over seven centuries and has always expressed its support at the international level for the pursuit of disarmament. In that connection, Andorra wishes to point out that it has no army and does not have, develop, market, buy, possess, use or transfer military materiel. The transfer of weapons is an offence under the Andorran Criminal Code. The Police Service and Customs Service maintain constant border controls and ensure that no transfer of weapons takes place.

Actions taken by the Government of Andorra to implement the measures imposed by paragraph 2: measures on transport

These measures are to be implemented by the Governments in the region, in particular those of States bordering the provinces of Ituri and North and South Kivu, and that of the Democratic Republic of the Congo.

Actions taken by the Government of Andorra to implement the measures imposed by paragraph 3: financial and travel measures

Financial measures

The Ministry of Foreign Affairs and Institutional Relations of Andorra transmits the lists issued by the Security Council Committee established pursuant to resolution 1533 (2004) to the Ministry of the Interior and the Andorran Financial Intelligence Unit.

Within the competence granted to it under the Act on International Cooperation in Criminal Matters, Prevention of the Laundering of Money or Securities Constituting the Proceeds of International Crime and Prevention of the Financing of Terrorism, the Financial Intelligence Unit issues official communications reproducing the measures specified in Security Council resolution 1807 (2008). The communications are addressed to financial entities subject to the Act as defined in article 41 of the Act, namely, individuals or entities that are subject to the legal obligations specified in this Act and which belong to any of the following categories:

- Operative components of the financial system
- Insurance companies authorized to operate in the life insurance sector
- Money transfer institutions.

The Act on International Cooperation in Criminal Matters, Prevention of the Laundering of Money or Securities Constituting the Proceeds of International Crime and Prevention of the Financing of Terrorism provides that those subject to its provisions shall monitor all transactions that, although not suspicious, take place under complex or unusual conditions and seem to have no economic justification or legal purpose, and especially transactions likely to involve money-laundering operations and those requiring special monitoring according to official communications.

If one of the entities subject to the Act has reason to suspect that a transaction may be linked to one of the entities or individuals listed in official communications, that transaction is blocked by the Unit and the corresponding file is subsequently transferred to the Public Prosecutor.

The Court of First Instance of Andorra (*Batllia*) is competent to freeze funds which are on Andorran territory and which are owned or controlled, directly or indirectly, by individuals or entities included on the lists issued by the Committee.

Travel measures

The Ministry of Foreign Affairs and Institutional Relations transmits regularly to the Police Service of Andorra the lists and amendments thereto circulated by the various committees of the Security Council. The Police Service immediately implements the measures to which they refer. These lists are entered into the Police database, which police officers may consult in connection with any check.

The Police Service, working with the Immigration Service, is competent to examine the identity documents, nationality and police record of any person requesting permission to immigrate and must in all cases consult the police database.

With regard to border controls, the Immigration Act states that one of the conditions for entry into the Principality of Andorra is that the person requesting entry must not constitute a threat to the security of the State, persons or property or to public order. Furthermore, he must not constitute a serious public health threat and must prove that he has sufficient financial means to support his stay in the country. To that end, border officials must also consult the Police Service database when carrying out controls.

The Police Service database is connected to the International Criminal Police Organization (INTERPOL) database. The Andorran police are also in constant contact with the French and Spanish police.

Andorra has neither a port nor an airport. Andorra can be entered only by road, and the borders are patrolled by the Police Service 24 hours a day.

Designation of a focal point in order to enhance cooperation and information-sharing with the Group of Experts

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Measures taken by the Government of Andorra to ensure that importers, processing industries and consumers of Congolese mineral products under their jurisdiction exercise due diligence on their suppliers and on the origin of the minerals they purchase

The Andorran Customs Service is responsible for monitoring freight traffic in Andorra.

The risk-analysis systems used by the Customs Service monitor the flow of trade. The Customs Service gives the fullest attention to all goods coming from or going to the Democratic Republic of the Congo. These various controls ensure the application of the measures provided for by resolution 1896 (2009).

In addition, the following should be noted:

- Importing or exporting the following items is strictly prohibited in Andorra: military weapons, weapons for law enforcement only, firearms combined with edged weapons, firearms in which the factory or original characteristics have been significantly modified, silencers adaptable for use with firearms, night vision equipment, laser beam projectors or similar equipment, armour-piercing bullets, explosives, incendiary ammunition, expanding bullets, "dum-dum" bullets, shotshells and projectiles associated with this type of ammunition
- Other arms and their ammunition, as well as explosive substances, are subject to prior authorization for import and export in Andorra
- Because of the special geographical situation of Andorra, which is enclosed between two States members of the European Union, together with the absence of any transport routes other than roads, all goods entering or leaving Andorra are subject to additional controls by the French or Spanish authorities.

Lastly, it should be noted that there has been no direct trade relationship between the Principality of Andorra and the Democratic Republic of the Congo during the past three years.

Relevant information on guidelines, licensing requirements or legislation relating to trade in mineral products

The Andorran Customs Service enforces European foreign-trade law, with regard to both products from the European Union and products imported directly from third countries.

Enclosure

Official communication

dated 31 December 2009 from the
Financial Intelligence Unit of Andorra

Sirs,

Pursuant to Security Council resolution 1533 (2004) concerning the Democratic Republic of the Congo, in March 2009 the Security Council of the United Nations decided that all Member States must freeze the financial assets of and sever all trade relations with the persons designated below.

Please consult your databases for the names of the persons listed and inform the Unit of the results as soon as possible.

Individuals:

1. **Bwambale** Frank Kakolele
2. **Kakwavu** Bukande Jérôme
3. **Katanga** Germain
4. **Lubanga** Thomas
5. **Mandro** Khawa Panga
6. **Mbarushimana** Callixte
7. **Mpamo** Iruta Douglas
8. **Mudacumura** Sylvestre
9. **Mujyambere** Leopold
10. **Murwanashyaka** Ignace
11. **Musoni** Straton
12. **Mutebustsi** Jules
13. **Ngudjolo** Mathieu Chui
14. **Njabu** Floribert Ngabu
15. **Nkunda** Laurent
16. **Ntawunguka** Pacifique
17. **Nyakuni** James
18. **Nzeyimana** Stanislas
19. **Ozia** Mazio
20. **Taganda** Bosco

Legal entities:

1. **Butembo Airlines**
2. **Congocom Trading House**
3. **Compagnie aérienne des grands lacs-Great Lakes Business Company**
4. **Machanga Ltd.**
5. **Tous pour la paix et pour le développement** (non-governmental organization)
6. **Uganda Commercial Impex**

We remain at your disposal to provide any clarification required.

Financial Intelligence Unit

United Nations S/AC.43/2010/2

Security Council

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4 February 2010

Original: English

Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

Note verbale dated 21 January 2010 from the Permanent Mission of Iceland to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Iceland to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo and, with reference to the provisions of Security Council resolution 896 (2009), has the honour to submit the requested report on the steps taken by the Government of Iceland to implement the provisions of the relevant United Nations Security Council resolutions (see annex).

10-23056 (E) 220210

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Annex to the note verbale dated 21 January 2010 from the Permanent Mission of Iceland to the United Nations addressed to the Chairman of the Committee

Iceland

National report on United Nations Security Council resolutions with regard to the Democratic Republic of the Congo

January 2010

Iceland has taken the following measures to implement the provisions of United Nations Security Council resolutions 1493 (2003), 1533 (2004), 1596 (2005), 1649 (2005), 1698 (2006), 1771 (2007), 1807 (2008), 1857 (2008) and 1896 (2009) on sanctions with regard to the Democratic Republic of the Congo.

Legal basis

The legal basis for the implementation of the Security Council sanctions is found in Act No. 93/2008 on the implementation of international sanctions. Regulation No. 119/2009 contains general provisions on the implementation of international sanctions.

Regulation No. 155/2009 implements Security Council sanctions with regard to the Democratic Republic of the Congo.

General information on sanctions implemented by Iceland, including web references to legal provisions, is provided on the website of the Ministry for Foreign Affairs: http://www.mfa.is/foreign-policy/sanctions.

See also the Ministry's webpage on export control: http://www.mfa.is/foreign-policy/exportcontrol.

Arms embargo

Article 2 of regulation 155/2009 prohibits parties in Iceland and Icelandic parties abroad from transferring any military equipment to the Democratic Republic of the Congo in accordance with paragraphs 1-5 of Security Council resolution 1807 (2008) and paragraph 1 of Security Council resolution 1896 (2009).

Travel ban

Article 3 of the same regulation provides for a travel ban on the persons listed in annex I to the regulation in accordance with paragraphs 9-14 of Security Council resolution 1807 (2008) and paragraph 3 of Security Council resolution 1896 (2009).

Assets freeze

Article 4 of the regulation provides for the authorization to freeze funds and financial assets of those listed in annex I to the regulation, in accordance with paragraphs 9-14 of Security Council resolution 1807 (2008) and paragraph 3 of Security Council resolution 1896 (2009).

United Nations S/AC.43/2010/3

Security Council

Distr.: General
16 February 2010

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Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

Note verbale dated 9 February 2010 from the Permanent Mission of Thailand to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Thailand to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo and has the honour to submit herewith a report of the Royal Thai Government on measures taken to implement Security Council resolution 1896 (2009) (see annex).

10-24179 (E) 180210

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Annex to the note verbale dated 9 February 2010 from the Permanent Mission of Thailand to the United Nations addressed to the Chairman of the Committee

Report of the Kingdom of Thailand on the implementation of Security Council resolution 1896 (2009) concerning the Democratic Republic of the Congo

The Ministry of Foreign Affairs of the Kingdom of Thailand submits resolutions of the United Nations Security Council for the Cabinet's endorsement, thereby enabling the domestic authorities concerned to implement those resolutions within the framework of domestic laws.

On 26 May 2009, the Thai Cabinet instructed the authorities concerned to implement the Security Council resolutions regarding the Democratic Republic of the Congo, namely Council resolutions 1533 (2004), 1596 (2005), 1807 (2008) and 1857 (2008). The Thai authorities concerned have since implemented the measures outlined in the said resolutions including the arms embargo, assets freeze and the travel ban against the individuals and entities designated by the Security Council Committee established pursuant to resolution 1533 (2004).

On 2 February 2010, the Thai Cabinet instructed the authorities concerned to implement Security Council resolution 1896 (2009), including:

(a) Paragraph 1 regarding the arms embargo renewal;

(b) Paragraph 3 regarding the renewal of the imposition of financial and travel measures;

(c) Paragraph 14 regarding the measures to ensure that due diligence is exercised concerning the suppliers and origin of Congolese mineral products;

which they have since implemented.

Regarding paragraph 12 of Security Council resolution 1896 (2009), the Ministry of Foreign Affairs is the focal point to the Committee.

The main Thai authorities concerned in implementing the resolutions of the United Nations Security Council regarding the Democratic Republic of the Congo are: the Ministry of Defence; the Ministry of Finance; the Ministry of Transport; the Ministry of Interior; the Ministry of Commerce; the National Intelligence Agency; the Office of the National Security Council; the Royal Thai Police; the Anti-Money Laundering Office; and the Bank of Thailand.